

ORDINANCE NO. 2024-15

**AN ORDINANCE DEFINING THE WATER SERVICE AREA, RESTRICTING NEW CONNECTIONS TO THE CULLINARY WATER SYSTEM OUTSIDE THE DEFINED WATER SERVICE AREA, AND THE CREATION OF AND ALLOWANCE FOR DRY LOTS DEFINED AS PARCELS WHICH ARE INVOLUNTARILY ANNEXED INTO PAROWAN CITY AND WHICH ARE NOT ENTITLED TO A WATER CONNECTION
ORDINANCE DATED SEPTEMBER 12TH, 2024**

WHEREAS, Parowan City is a corporation created and existing under the laws of the State of Utah; and,

WHEREAS, Parowan City has authority, pursuant to Utah Constitution Article XI, Section 6 (1) (c) to designate the geographic limits of the municipality's water service area; and,

WHEREAS, Parowan City Council desires to define the water service area by this ordinance and thenceforth restrict the sale of culinary water outside that water service area to all new customers after the date of this ordinance; and,

WHEREAS, Parowan City does, on the date of this ordinance currently have culinary water customers who reside outside of the current City boundary limits and it is the intent of the Parowan City Council to include those customers in the newly defined service area even though they do not yet live within City boundary limits; and,

WHEREAS, Per Utah Code Ann. Section 10, Chapter 2, Part 4 Annexation, the possibility exists for owners' parcels being required to involuntarily to annex into Parowan City Boundaries, under certain conditions. Prior to this ordinance, these owners would be required by P.M.C. to deed water rights to Parowan City to entitle them to use of the Parowan City culinary water system at time of annexation; and,

WHEREAS, Parowan City Council recognizes the inequity created by this scenario and therefore desires to create a new designation of parcel status as a "Dry Parcel." Therefore, this ordinance will allow said parcels to be annexed into the City as required by State code, but owners of these parcels will not be entitled to a connection to the culinary water system until such time as they follow the same process as others that willingly annex into the city and deed acceptable water rights to Parowan City.

NOW, THEREFORE, the City Council of Parowan City, Utah, hereby adopts and passes the following:

BE IT ORDAINED BY THE CITY COUNCIL OF PAROWAN, UTAH AS FOLLOWS:

ORDINANCE DEFINING THE WATER SERVICE AREA, RESTRICTING NEW CONNECTIONS TO THE CULLINARY WATER SYSTEM OUTSIDE THE DEFINED WATER SERVICE AREA, AND THE CREATION OF AND ALLOWANCE FOR DRY LOTS DEFINED AS PARCELS WHICH ARE INVOLUNTARILY ANNEXED INTO PAROWAN CITY AND WHICH ARE NOT ENTITLED TO A WATER CONNECTION

7.10.015 Water Service Area And Sales Outside Of

A. Water Service Area. Parowan City’s Water Service Area, as authorized by Utah State Constitution Article XI, Section 6, is defined as the current city boundaries, which will change from time to time due to annexation *and* any water customers outside current city boundaries with an actively billed culinary water connection as of September 12, 2024, when this ordinance was adopted.

B. Water Sales Outside of Water Service Area. No new connections for water sales will be permitted outside of Parowan City’s Water Service Area. This restriction of water sales includes the continuance of water sales to any parcels who de-annex from city boundaries after the date of this ordinance.

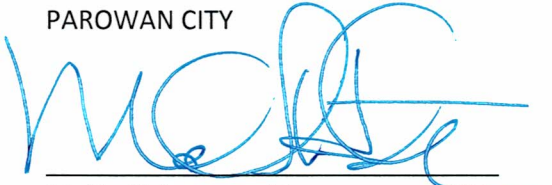
7.10.040 Application For Water

C. Dry Parcel Created by Involuntary Annexation: The owner(s) of a parcel which is forced to be annexed into City boundaries against the wishes of the owner(s) will be temporarily exempted from the requirement to deed water to the City at the time of annexation. To qualify for this exemption, the property owner must not have signed the annexation petition and have been forced to annex their property. If the owner decided not to deed acceptable water at the time of annexation, the parcel will be designated as a “Dry Parcel” in the City’s GIS system, and will not be entitled to a connection to the City water system until such time as the owner follows the same process to deed acceptable water rights following the same requirement as those who have voluntarily annexed.

Dry parcels will not be entitled to the same level of service of fire protection as is given to other property owners within City boundaries until such time as the parcel owner deeds acceptable water rights to the City due to a lack of water rights to aid in firefighting efforts on the dry parcel. The dry parcel will be entitled to the level of service that the City provides to parcels located outside of City boundaries within the defined service area as agreed with Iron County.

Dry parcels will be required at the time of annexation to record a City form on the deed of the parcel with the County Recorder that designates that the property is a “Dry Parcel” which is not entitled to a water connection until such time as acceptable water rights are deeded to Parowan City.

PASSED AND ADOPTED by the City Council and Mayor of the city of Parowan, Iron County, State of Utah, the 12TH day of September, 2024.

PAROWAN CITY

Mollie Halterman, Mayor

Voting on next Page

VOTING:	AYE	NAY	ABSTAIN	ABSENT
David Burton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rochell Topham	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sharon Downey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Dean	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Harris	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attested by:


 Callie Bassett, City Recorder



